

REMARKS

In the Office Action dated March 10, 2009, pending Claims 91-125 were rejected and the rejection made final. In response Applicant has filed herewith a Request for Continued Examination, amended independent claims 91, 104, 114, 124 and 125, and submitted an Interview Request Form.

Applicant is not conceding in this application the claims amended herein are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicant specifically states no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

In paragraph 3 of page 2 of the March 10, 2009 Office Action, the Examiner rejected pending claims 91-125 for allegedly being anticipated by U.S. Patent No. 6,248,946 to Dwek (hereafter Dwek). In making his rejection, the Examiner alleges that “(figure 1, Col 4 lines 25-59, songs stores on online music database 114, song file servers 116 are available for users of computers 130 to select, the application that causes the song selections is a plugin module)” of Dwek teaches fetching the specified user desired data **via a plugin module**. Applicant respectfully disagrees. Dwek teaches “download[ing] an installation file for installing a copy of the music player 120 onto the users computer” (Dwek Col. 4 lines 35-36) and “the client interface **server** 112 may allow a user to access

the online music database” (Dwek Col. 4 lines 37-38, emphasis added). Despite the Examiner’s rejection, nothing in Dwek teaches or suggests fetching the specified user desired data via a plugin module. Dwek’s teaching to download a music player and provide a **server** that has access to a music database does not teach or suggest fetching the specified user desired data via a plugin module as required by all the pending claims.

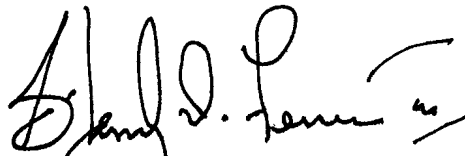
With this Amendment Applicant has amended claims 91, 104, 114, 124 and 125 to more clearly define the invention and advance prosecution. More specifically, Applicant has amended independent claims 91, 104, 114, 124 and 125 to more clearly indicate that fetching the desired data is determined by first determining if the desired data is located on a ram or disk cache located on the client device and if the desired data is not located on a ram or disk cache located on the client device then second determining if the desired data is located on a reverse proxy caching connection and if the desired data is not located on a reverse proxy caching connection then third determining if the specified user desired data is located on a web server or other remote network. Support for Applicant’s amendments can be found in at least Applicant’s specification at paragraphs [0054] and [0055].

The prior art of record, including the Dwek reference, alone or together, fail to teach or suggest fetching the desired data as claimed in amended claims 91, 104, 114, 124 and 125. Accordingly, the Examiner’s rejection of claims 91-125 as allegedly anticipated by Dwek should be withdrawn.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously solicited.

If there are any further issues in this application, Applicant desires to interview the application before the issuance of a further Office Action. As noted above, Applicant has submitted an Interview Request Form. The Examiner is invited to contact the undersigned at the telephone number listed below to arrange a date and time for an interview.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stanley D. Ference III", written over a horizontal line.

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